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December 10, 2024

BY ECF

Hon. Alvin K. Hellerstein
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. Sung Kook (Bill) Hwang et al., No. 22 Cr. 240 (AKH)

Dear Judge Hellerstein:

On behalf of our client, Bill Hwang, we write to respectfully request the Court's permission to file under seal certain declarations, along with references to those declarations in our letter briefing Mr. Hwang's serious medical conditions as relevant to sentencing.

We make this request pursuant to the Southern District of New York's ECF Rule 21.4, which provides in pertinent part that parties should "consider redacting" sensitive information from electronic filings, including "medical records, treatment, and diagnosis." The Second Circuit has held that "the privacy interests of innocent third parties should weigh heavily" in the court's public access analysis, and that "family affairs, illnesses, embarrassing conduct with no public ramifications, and similar matters will weigh more heavily against access than conduct affecting a substantial portion of the public." *United States v. Amodeo*, 71 F.3d 1044, 1050–51 (2d Cir. 1995).

The declarations in question contain sensitive information pertaining to Mr. Hwang's medical records, treatment, and diagnoses, and should be redacted accordingly. In this case, "the interest in protecting sensitive medical information outweighs the presumption of public access." *United States v. Colon*, 18-CR-526 (VEC), 2023 WL 8281766 at *2 (S.D.N.Y. Nov. 29, 2023) (permitting defendant to redact minor daughter's medical information from sentencing submission). *See also, e.g., United States v. Tavarez*, 22-cr-430 (RA), 2024 WL 2327366 at *1 (S.D.N.Y. May 22, 2024) (permitting defendant to "propose narrowly tailored redactions of any sensitive medical information contained in his motion").

We have filed redacted versions of the letter brief and supporting declarations on ECF,

GIBSON DUNN

December 10, 2024
Page 2

and we enclose with this letter unredacted copies of the same, highlighting redactions for comparison.

Respectfully submitted,

/s/ Jordan Estes
Jordan Estes

cc: Counsel of Record (via ECF)